

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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HERBERT F. WARRENDER,

Plaintiff,

-against-

**ORDER**  
**09 CV 2697 (KAM)(LB)**

MICHAEL BERECKY, C. BROOKS,  
JOHN DOE #1, JOHN DOE #2,  
UNITED STATES,

Defendants.

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**BLOOM, United States Magistrate Judge:**

The Court shall hold an initial pre-trial telephonic conference pursuant to Fed. R. Civ. P. 16 on November 17, 2009 at 10:30 a.m. Defendants' counsel is requested to arrange and initiate the conference call. Plaintiff shall provide the Court and defendants' counsel in writing with a telephone number where he may be reached by November 11, 2009. After establishing contact with plaintiff, defendants' counsel shall telephone the Court at (718) 613-2170. The Clerk of the Court is directed to mark defendants' motion to dismiss as withdrawn without prejudice to refile. See documents 11, 13. The Court shall address defendants' request for a pre-motion conference at the initial conference.

SO ORDERED.

/S/  
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LOIS BLOOM  
United States Magistrate Judge

Dated: October 28, 2009  
Brooklyn, New York